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11 Attorneys for Plaintiff United States

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

14 UNITED STATES OF AMERICA, and) CASE NO. C 09-0186 CW
15 THE PEOPLE OF THE STATE OF)
16 CALIFORNIA *ex rel.* CALIFORNIA)
STATE WATER RESOURCES)
17 CONTROL BOARD, and CALIFORNIA)
REGIONAL WATER QUALITY)
CONTROL BOARD, SAN FRANCISCO)
18 BAY REGION,) STIPULATION AND ORDER
Plaintiffs,) CONTINUING CASE
v.) MANAGEMENT CONFERENCE
19)
20 EAST BAY MUNICIPAL UTILITY) Date: July 7, 2009
DISTRICT) Time: 2:00 p.m.
21)
Defendant.) Courtroom: No. 2
22 _____)

23 A case management conference is scheduled in the above-captioned action for July 7,
24 2009. For the reasons stated below, the parties stipulate that the case management conference
25 be continued and ask the Court to continue it for sixty (60) days.

26 On January 15, 2009, plaintiffs filed a Complaint and a Notice of Lodging, and lodged
27 with the Court a proposed Stipulated Order for Preliminary Relief in the above captioned case.

28 Pursuant to 28 C.F.R. § 50.7, the plaintiff United States was required to publish notice of
lodging the Stipulated Order in the Federal Register and accept public comment on the proposed

1 Stipulated Order for a period of thirty days before requesting entry of the Stipulated Order.
2 Thereafter, on January 27, 2009, the United States caused notice of the lodging of the Stipulated
3 Order to be published in the Federal Register, and comments were received until February 27,
4 2009. After publication of the prescribed notice in the Federal Register and receipt of
5 comments, the United States is to inform the Court of its views regarding any comments that are
6 received and, if it believes that entry of the proposed Stipulated Order remains warranted. The
7 United States has now evaluated the comments and expects to inform the Court of its views and
8 move for entry of the proposed Stipulated Order within three weeks of the date this stipulation is
9 signed.

10 Because the undersigned parties expect that the Stipulated Order will be submitted to the
11 Court for entry within three weeks, they believe that further litigation will not be necessary at
12 this time and proceeding with the case management conference on July 7, 2009, would waste the
13 time and resources of both the Court and the parties.

14 NOW THEREFORE, IT IS HEREBY STIPULATED by and among the parties, through
15 their undersigned counsel, that the case management conference set for July 7, 2009, be
16 continued for sixty (60) days.

17 Respectfully submitted,

18
19 JOHN C. CRUDEN
20 Acting Assistant Attorney General
Environment and Natural Resources
Division
21 U.S. Department of Justice

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Stipulation and Order Continuing Case Management Conference
C 09-0186 CW

1 JOSEPH P. RUSSONIELLO
2 United States Attorney
3 Northern District of California

4 /s/
5

6 DATED: June 16, 2009
7

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16 EDMUND G. BROWN, JR.
17 Attorney General of the State of California
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19 /s/
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21 DATED: June 16, 2009
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33 /s/
34

35 DATED: June 16 ,2009
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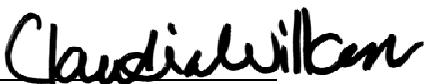
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42 Attorneys for East Bay Municipal Utility
43 District
44

45 ORDER
46

47 IT IS SO ORDERED. Based upon the foregoing stipulation, signed on behalf of all
48 parties to this action, the case management conference scheduled for July 7, 2009, is hereby
49 continued until **September 15, 2009, at 2:00 p.m.**

50 DATED: June 19, 2009
51

52 
53 CLAUDIA WILKEN
54 United States District Judge
55

56 Stipulation and Order Continuing Case Management Conference
57 C 09-0186 CW
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